

REMARKS

Claims 1-10 are pending in the application. It is gratefully acknowledged that the Examiner has allowed Claims 6-10. The Examiner rejected Claims 1-5 under 35 U.S.C. §102(e) as being anticipated by Dent (U.S. Publication 2003/0129984). ‘

Please cancel Claim 9, without prejudice. Please amend Claims 1, 4 and 6; no new matter has been added. Claim 1 and 6 have been amended to clarify terminology, and are not directed to patentability.

Regarding the rejection of Claims 1-5 under 35 U.S.C. §102(e), the Examiner states that the claims are anticipated by Dent. Dent discloses a distributed wireless architecture using microcast. Independent Claim 1 recites at least the following elements that are not anticipated by Dent. First, Claim 1 recites, “forming a virtual cell with a particular one of sectors constituting a particular cell and sectors of two other cells neighboring the particular sector”. Thus three (3) sectors, each sector from a different cell, form one virtual cell. This virtual cell is not disclosed by Dent. Second, Claim 1 recites that a channel estimate value is transmitted from each of the three (3) cells, whose sectors comprise the virtual cell. The channel estimate value transmitted from each of the three cells is not disclosed by Dent. Third, Claim 1 recites “transmitting the at least one allocated wireless resource to the three base stations so that the base stations allocate a same subchannel to each mobile terminal located in the virtual cell”. Allocating by each base station the same subchannel to a mobile station based on the allocated wireless resource transmitted to the three base stations that comprise the virtual cell is not disclosed by Dent. Based on at least the foregoing, withdrawal of the rejection to Claims 1-5 under 35 U.S.C. §102(e) is respectfully requested.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-5, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly,

reconsideration and withdrawal of the rejections of dependent Claims 2-5 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-8 and 10, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Musella", with a stylized flourish extending from the end.

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